

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL J. RESCH, AND
LORETTE M. RESCH,

Plaintiffs,

VS.

08 CV 6064 (RMB)

BEACHCOMBER USA, INC., AND
ALL AMERICAN INDUSTRIES, CORP.,

Defendants.
-----X

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by September 30, 2008
- (ii) Amend the pleadings by September 30, 2008
- (iii) All discovery to be **expeditiously** completed by ~~March 31, 2009~~ 12/22/08 **RMB**
- (iv) Consent to Proceed before Magistrate Judge not at this time
- (v) Status of settlement discussions none since filing of suit 12/23/08 @ 10:30 with
principals

Sections vi through xi will be set at conference with the Court.

- (vi) Motions _____
- (vii) Oral Argument _____
- (viii) Joint Pre-Trial Order to be submitted by _____
- (ix) Final Pre-Trial Conference _____
- (x) Trial _____
- (xi) Other _____

SO ORDERED: New York, New York

8/20/08

RMB

Hon. Richard M. Berman, U.S.D.J.